

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant and Inventor	Ho Keung, TSE.
Title	
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Group Art Unit	2132
Examiner	Gilberto Barron Jr.
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By Fax

Hon. Commissioner of Patents and Trademarks, Washington, D.C. 20231.
Sir,

Submission of draft Claim 1

Regarding the Final Office Action P.3, section 7, the Examiner indicated that only amendment filed March 3, 2001 was entered and in the action, 22 claims are rejected. In my record, I do find an amendment entitled "Formal Amendment Dated 3 March, 2001" and it should have been filed on that day, but it contained 18 claims only. I guess the Examiner is attempting to inform me problems in my other amendments which being not entered.

Regarding the Final Office Action P.4, last paragraph, the Examiner state that the term "means/information" is indefinite. How about replacing it with "means or information" ?

The Examiner is respectfully to consider Claim 1 as amended herein below and the argument for overcoming Haas et al. I will contact the Examiner next week for his decision.

Respectfully submitted,

Ho Keung, Tse.



Argument for Haas et al. not Applicable

Haas et al. is not applicable to claim 1 as amended for the following reasons :

As readable on column 5, lines 47-54, Haas et al. merely teach a deterrent as causing by a software, a rightful user's credit card number to be displayed, to discourage a rightful user from sharing the software which being for decrypting a commercial software product, to other people. This deterrent although may be useful, it has a drawback that the rightful user have to make sure no other people is around before he can use the software.

The present invention as claimed by claim 1 as amended is directed to a method for protecting software from unauthorised use. As readable thereon, it requires existence of an identity software as a pre-condition for permitting use of said software desired to be protected on a processing means ; wherein said identity software being for enabling electronic money transfer operation(s) for which a rightful user of said software desired to be protected has to be responsible . Although not indicated in claim 1 as amended, it is obvious that the identity software is stored in a computer devise and is not in a human visible form and not accessible to any one else except under the permission of the rightful user.

It is respectfully submitted that, it is a essential feature in Haas et al.'s teaching that a rightful user's credit card number has to be displayed, and it is therefore not obvious to one with ordinary skill in the art to modified it by not having the credit card number to be displayed, and to become the present invention as defined by claim 1 as amended.

-13(Dirty Version)-

What is claimed is :

1.(Third time Amended) A method for protecting software from unauthorised use , comprising the steps of :

determining the existence of an identity [means] software in association with a [computing] processing means ;

using a favourable result of said determination of existence as a pre-condition for permitting use of said software desired to be protected on said [computing] processing means ;

wherein said identity [means] software being for enabling electronic money transfer operation(s) for which a rightful user of said software desired to be protected has to be responsible ;

wherein [said rightful user being a user who has already obtained a right of using said software desired to be protected, with any necessary payment therefor, being made ; and the use of] access to said software desired to be protected is being [permitted] provided without causing a said operation being performed .

-13(Clean Version)-

What is claimed is :

1. A method for protecting software from unauthorised use , comprising the steps of :
 - determining the existence of an identity software in association with a processing means ;
 - using a favourable result of said determination of existence as a pre-condition for permitting use of said software desired to be protected on said processing means ;
 - wherein said identity software being for enabling electronic money transfer operation(s) for which a rightful user of said software desired to be protected has to be responsible ;
 - wherein access to said software desired to be protected is being provided without causing a said operation being performed .